

**REMARKS**

Upon entry of this Amendment, claims 1-13 are all the claims pending in the application. Claims 11-13 have been added. Claims 1-10 presently stand finally rejected.

The Examiner has not indicated receipt and acceptance of the drawings filed April 30, 2001. Notice that drawings were received and are accepted are respectfully requested.

In regard to the claim rejections, claims 1-10 are rejected under 35 U.S.C. § 112, second paragraph; Claims 1, 3-6 and 8-10 are further rejected under 35 U.S.C. § 102(b) as being anticipated by Ueda et al. ('598); Claims 1-6 and 8-10 are still further rejected under 35 U.S.C. § 103(a) as being unpatentable over Morii et al. ('378); Claims 1-10 are even further rejected under 35 U.S.C. § 103(a) as being unpatentable over either of Ueda et al. ('598) or Morii et al. ('378) in view of Kushibiki et al. ('285); and Claims 1-10 are yet again further rejected under 35 U.S.C. § 103(a) as being unpatentable over either of Ueda et al. ('598) or Morii et al. ('378) combined with Kushibiki et al. ('285) and further in view of Kaule (CA 2046711).

In response to the rejection under 35 U.S.C. § 112, second paragraph, Applicant has amended the claims as suggested by the Examiner. Entry of these amendments and withdrawal of the rejection is kindly requested.

Additionally, for the reasons set forth below, Applicant respectfully traverses the prior art rejections and requests favorable disposition of the application.

***Argument***

Initially, Applicant respectfully points out to the Examiner that the prior art rejection under 35 U.S.C. § 103 in view of Ueda et al. or Morii et al. in view of Kushibiki et al., and the

prior art rejection under 35 U.S.C. § 103 in view Ueda et al. or Morii et al. combined with Kushibiki et al. and further in view of Kaule, are merely cumulative and are, thus, inappropriate. More particularly, as set forth in the Manual of Patent Examining Procedure (MPEP) at section 706.02, “[m]erely cumulative rejections, i.e., those which would clearly fall if the primary rejection were not sustained, should be avoided.” Here, the above identified cumulative rejections would fall if the rejections based on Ueda et al. and Morii et al. are not sustained.

In any event, Applicant has amended the claims to further define over the prior art. In particular, Applicant submits that none of the references (Ueda, Morii, Kushibiki, and Kaule) describes the feature that the first heat seal layer is a “a first heat seal layer formed by aqueous thermoplastic resin”.

For example, as described in connection with Comparative Examples 3 and 4 in the specification of the present application, when a heat seal layer is formed on a hologram layer by using a solvent-soluble thermoplastic resin, a solvent-soluble dye is migrated to the volume hologram layer. As a result, the hologram image is turned to very dark.

#### ***Patentability of New Claims***

For additional claim coverage merited by the scope of the invention, Applicant has added new claims 11-13. Applicant submits that the prior art does not disclose, teach, or otherwise suggest the combination of features contained therein.

#### ***Conclusion***

In view of the foregoing remarks, the application is believed to be in form for immediate allowance with claims 1-13, and such action is hereby solicited. If any points remain in issue

AMENDMENT UNDER 37 C.F.R. § 1.116

U.S. Appln. No. 09/843,891

which the Examiner feels may be best resolved through a personal or telephone interview, he is kindly requested to **contact the undersigned** at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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